

GENERAL ORDINANCE NO. G-22-92

AN ORDINANCE ESTABLISHING  
STANDARDS FOR THE PAYMENT OF  
PREMIUM PAY UNDER THE CITY'S  
COLLECTIVE BARGAINING  
AGREEMENTS

WHEREAS, the Civil City and City Utilities paid more than one million dollars (\$1,000,000.00) in overtime premiums in 1991; and

WHEREAS, a significant amount of those payments result from provisions within collective bargaining agreements more generous than the federal Fair Labor Standards Act; and

WHEREAS, the City Council has requested that the City administration explore ways of reducing expenses in both the Civil City and City Utilities; and

WHEREAS, reducing overtime premiums would be one such method;

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A new Section 20-16(n) is added to the Fort Wayne City Code to read as follows:

(n) Limitations on overtime and holiday pay premiums: Payments for work in excess of the employee's work schedule shall be governed by the federal Fair Labor Standards Act. Payment of, or compensation time equal to, one and one-half (1½) times the employee's regular hourly rate, or hours worked, shall be limited to hours actually worked in excess of forty (40) in any seven (7) day work cycle. Paid leave, other than use of earned compensatory time and holidays, shall not be counted toward the forty (40) hour base. Double time may be paid for holiday work. Hours actually worked on a designated holiday may qualify for a premium payment, or compensation time equal to, two times the employee's regular



hourly rate, or hours worked.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor and shall apply to all agreements entered into after its effective date.

Clatus R Edmonds  
Council Member



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forty (40) hour base. Double time <sup>time</sup> shall not be paid for ~~either overtime or holiday work~~. Hours

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equal to, <sup>two times</sup> ~~one and one-half (1½)~~ times the employee's regular hourly rate, or hours worked.

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*ack* ~~No agreement may contain a provision limiting management's right to reschedule work to avoid paying overtime.~~

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PR Edmonds  
Council Member

APPROVED AS TO FORM  
AND LEGALITY

J. Timothy McCaulay  
J. Timothy McCaulay  
City Attorney



Read the first time in full and on motion by Edmonds, seconded by Henry, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on the \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 3-10-92

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Schmidt, seconded by \_\_\_\_\_, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>5</u>	<u>3</u>	<u>1</u>	
BRADBURY		<u>✓</u>		
EDMONDS		<u>✓</u>		
GiaQUINTA			<u>✓</u>	
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO		<u>✓</u>		

DATED: 5-26-92

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 9-22-92

on the 26th day of May, 1992

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Thomas E. Henry  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of May, 1992 at the hour of 3:00 o'clock P. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29th day of May, 1992, at the hour of 11:45 o'clock A M., E.S.T.

PAUL HELMKE  
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: General Ordinance

DEPARTMENT REQUESTING ORDINANCE: Mayor's Office

SYNOPSIS OF ORDINANCE:

*S-92-03-08*  
*(as amended) (re amended)*

1) Changes overtime compensation package to allow premium payment  
only if hours actually worked exceed 40/week.

2) Eliminates double time

3) Restores management right to schedule work to avoid paying  
overtime.

EFFECT OF PASSAGE: New policy in effect.

EFFECT OF NON-PASSAGE: Old rules apply.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS):

Potential savings - \$200,000 total in Civil City and City  
Utilities.

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_

As Amended  
As Amended

Committee of the  
REGULATIONS Whole  
May 26 1911  
AIRMAN

REGULATIONS

FOR THE PAYMENT OF PREMIUM PAY UNDER THE CITY'S COLLECTIVE BARGAINING AGREEMENTS

DO PASS

DO NOT PASS

ABSTAIN

NO REC

[illegible]

526-92

Sandra E. Kennedy  
City Clerk